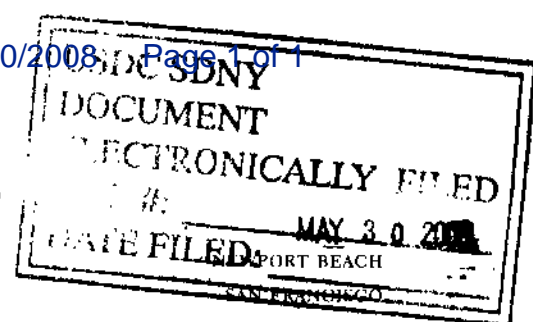


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May 23, 2008

BY HAND

Honorable George B. Daniels
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street, Room 630
New York, New York 10007

SO ORDERED

The oral argument on both motions is scheduled for June 17, 2008 at 10:30 a.m.

George B. Daniels
HON. GEORGE B. DANIELS

MAY 30 2008

COURT FILE NUMBER
958,396-001

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Re: Beinecke v. S&H Marketing, Inc., No. 08-CV-2483 (GBD)

Dear Judge Daniels:

We represent Defendants S&H Marketing, Inc. and The Sperry and Hutchinson Company, Inc. in connection with the above-referenced matter. We write with the consent of Plaintiffs' counsel in connection with the Court's March 17, 2008 Order scheduling an initial Case Management Conference for June 3, 2008 at 9:30 a.m. ("Conference"). In light of Defendants' pending Motion to Transfer Venue to the Central District of California and Plaintiffs' Motion for Abstention and Remand, the parties respectfully suggest that holding the Conference now would be premature. Accordingly, the parties jointly request that the Court adjourn the Conference until the pending motions are resolved.

If, however, the Court wishes to proceed with the Conference now, then, because of scheduling conflicts, the parties request that it be rescheduled to June 17, 2008.

Respectfully submitted,

Gary Svirsky
Gary Svirsky

encls.

cc: Laura Steinberg, Esq.